



PUBLIC EMPLOYMENT RELATIONS COMMISSION

Street: 112 Henry Street NE, Suite 300, Olympia, WA 98506

Mail: PO Box 40919, Olympia, WA 98504-0919

Phone: (360) 570-7300 Fax: (360) 570-7334 E-mail: filing@perc.wa.gov

PETITION FOR INVESTIGATION OF QUESTION CONCERNING REPRESENTATION

☐ Amended Petition in Case _____

DO NOT WRITE IN THIS SPACE

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PUBLIC EMPLOYMENT
RELATIONS COMMISSION

Instructions: www.perc.wa.gov/Forms/E-1-Inst.pdf Applicable Rules: Chapters 10-08, 391-08 and 391-25 WAC.

1. PARTIES The petitioner claims that a question concerning representation exists involving certain employees of the employer named below.

EMPLOYER City of Battle Ground

CONTACT PERSON Dennis Osborn, City Manager

ADDRESS 109 SW 1st Street, Suite 221

CITY, STATE, ZIP Battle Ground, WA 98604

TELEPHONE 360.342.5045 ext. _____

FAX _____

E-MAIL dennis.osborn@ci.battle-ground.wa.us

ATTORNEY OR

REPRESENTATIVE John Williams, Deputy City Manager

ADDRESS City of Battle Ground

109 SW 1st Street, Suite 221

CITY, STATE, ZIP Battle Ground, WA 98604

TELEPHONE 360 342 5009 ext. _____

FAX 360 342 5050

E-MAIL john.williams@ci.battle-ground

PETITIONER Battle Ground Police Officers Association

CONTACT PERSON Mike Molzahn, President

ADDRESS 507 SW 1st Street

CITY, STATE, ZIP Battle Ground, WA 98604

TELEPHONE 360.342.5100 ext. _____

FAX 360.342.5201

E-MAIL michael.molzahn@ci.battle-ground.wa.us

ATTORNEY OR

REPRESENTATIVE Patrick A. Emmal

ADDRESS Emmal Skalbana & Vinnedge

3600 15th Ave. W., Suite 303

CITY, STATE, ZIP Seattle, WA 98119-1330

TELEPHONE 206.281.1770 ext. _____

FAX 206.281.1772

E-MAIL office@unionlaw.org

INCUMBENT BARGAINING REPRESENTATIVE Indicate one.

☒ The parties are not currently represented for bargaining; OR

☐ The employees involved are currently represented by the organization below:

**ATTORNEY OR
REPRESENTATIVE**

ADDRESS

ORGANIZATION

CONTACT PERSON

ADDRESS

CITY, STATE, ZIP

TELEPHONE _____ ext. _____

FAX

E-MAIL

CITY, STATE, ZIP

TELEPHONE _____ ext. _____

FAX

E-MAIL

2. DESIGNATION OF REQUEST Indicate one.

☒ **RECOGNITION REQUEST** The petitioner requests certification as exclusive representative of the bargaining unit.

☐ **CHANGE OF REPRESENTATIVE** The employees in the bargaining unit desire to designate the petitioner as their exclusive bargaining representative.

☐ **DECERTIFICATION** The employees in the bargaining unit no longer wish to be represented by any employee organization.

☐ **EMPLOYER PETITION - DEMAND FOR RECOGNITION** The employer has been presented with one or more demands for recognition (per attached documentation) and requests a determination by the Commission.

☐ **EMPLOYER PETITION - INCUMBENCY QUESTIONED** The employer has a good faith belief (per attached documentation) that a majority of employees no longer desire to representation by the incumbent bargaining representative.

4. OTHER RELEVANT FACTS Indicate one.

☒ Additional information is set forth on separate sheets of paper attached to this petition.

3. BARGAINING UNIT

EMPLOYER'S PRINCIPAL BUSINESS

Municipal Government

DEPARTMENT OR DIVISION INVOLVED

Police

COLLECTIVE BARGAINING AGREEMENT Indicate one.

☐ The parties have never had a contract; OR

☐ A copy of the parties' current (or most recent) collective bargaining agreement is attached.

**NUMBER OF
EMPLOYEES
IN UNIT** 4

DESCRIPTION Indicate inclusions, exclusions, contract page or case/decision number.

All regular full-time and part-time records clerks and community service officers employed by the Battle Ground Police Department excluding supervisors, confidential employees and all other employees.

5. SHOWING OF INTEREST

A petition filed by an organization or employees must be accompanied by a showing of interest indicating that the petitioner has the support of 30% or more of the employees in the bargaining unit.

6. AUTHORIZED SIGNATURE FOR PETITIONER

PRINT NAME Patrick A. Emmal

TITLE Attorney

SIGNATURE

DATE March 11, 2009

EMMAL SKALBANIA & VINNEDGE
ATTORNEYS AT LAW
A PROFESSIONAL SERVICE CORPORATION

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OLYMPIA, WA

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PUBLIC EMPLOYMENT
RELATIONS COMMISSION

March 11, 2009

Cathleen Callahan, Executive Director
Public Employment Relations Commission
P.O. Box 40919
Olympia, WA 98504-0919

**Re: Battle Ground / Battle Ground Police Officers Association
Petition for Investigation of Question Concerning Representation**

Dear Ms. Callahan:

Enclosed for filing with your agency is a Petition for Investigation of Question Concerning Representation on behalf of the Battle Ground Police Officers Association (records clerks and community service officers). In support of the Petition, under Section 4 Other Relevant Facts, attached are (1) recent PERC Decision 10321, and (2) former Collective Bargaining Agreement 2004-2006.

Thank you for your assistance in this matter.

Sincerely,

EMMAL SKALBANIA & VINNEDGE



Paulette A. Pettis
Legal Assistant

Enclosure

cc: Dennis Osborn (w/enc.)
John Williams (w/enc.)
Mike Molzahn (w/enc.)

CERTIFICATE OF SERVICE

The undersigned hereby declares that on the 11th day of March 2009, she served the attached PETITION FOR INVESTIGATION OF QUESTION CONCERNING REPRESENTATION by causing the original to be deposited in the United States Mail, postage prepaid, addressed to:

Cathleen Callahan, Executive Director
Public Employment Relation Commission
PO Box 40919
Olympia, WA 98504-0919

with true and correct copies served via United States Mail, postage prepaid, addressed to:

Dennis Osborn, City Manager
City of Battle Ground
109 SW 1st Street, Suite 221
Battle Ground, WA 98604

John Williams, Deputy City Manager
City of Battle Ground
109 SW 1st Street, Suite 221
Battle Ground, WA 98604

Michael Molzahn, President
Battle Ground Police Officers Association
507 SW 1st Street
Battle Ground, WA 98604

I declare under penalty of perjury under the laws of the State of Washington, the above and foregoing is true and correct to the best of my knowledge.

Dated this 11th day of March 2009.



Paulette A. Pettis

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RELATION COMMISSION
OLYMPIA, WA